**Amendments to the Drawings**

**Fig. 3** is amended to provide a missing reference number **302**, thereby aligning the figure with its corresponding text on p. 14, line 7 of the specification.

Similarly, **Fig. 5** is amended to provide a missing reference number **502**, thereby aligning the figure with its corresponding text on p. 20, line 1 of the specification.

No new matter has been introduced.

## REMARKS

The Specification and Drawings have been amended. Claims 1, 6 - 16, and 19 - 20 have been amended. No new matter has been introduced with these amendments, all of which are supported in the specification as originally filed. Claims 2 - 3 have been cancelled from the application without prejudice. Claims 1 and 4 - 20 are now in the application.

I. Proposed Replacement Drawings

Proposed replacement drawings are provided herewith for **Figs. 3, and 5**, as discussed above in "Amendments to the Drawings". No new matter has been introduced with these proposed replacement drawings.

II. Objection to the Specification

Paragraph 2 of the Office Action dated October 7, 2005 (hereinafter, "the Office Action") states that the specification is objected to because of missing serial numbers. Appropriate amendments have been made herein, and the Examiner is respectfully requested to withdraw this objection.

III. Rejection under 35 U. S. C. §102(e)

Paragraph 3 of the Office Action states that Claims 1 - 7 (stated as 1 - 8 in error), 9 - 12, and 16 - 20 are rejected under 35 U.S.C. §102(e) as being anticipated by U. S. Patent 6,567,893 to Challenger et al. (hereinafter, "Challenger"). Claims 2 - 3 have been cancelled

from the application without prejudice, rendering the rejection moot as to those claims, and the rejection is respectfully traversed with regard to remaining Claims 1, 4 - 7, 9 - 12, and 16 - 20.

Applicants have amended their independent Claims 1, 19, and 20 to more clearly specify limitations of their claimed invention (and said amendments are not being made to distinguish over the cited references). Applicants respectfully submit that Challenger does not teach all limitations of Claims 1, 19, and 20, and that the Office Action fails to make out a *prima facie* case of anticipation as to these claims, as will now be discussed.

As the Federal Circuit stated in ***W.L. Gore & Associates v. Garlock, Inc.***, 220 USPQ 303, 313 (Fed. Cir. 1983), ***cert. denied***, 469 U.S. 851 (1984), "Anticipation requires the disclosure in a single prior art reference of *each element* of the claim under consideration." (emphasis added). The Office Action fails to cite a reference that teaches (at least) "distributing the candidate content to the cache store only if a [content distribution] response message[,] received from the cache store [responsive to the content distribution request message,] indicates that the cache store [will] accept the candidate content [for caching]". This claim language, with current clarifying amendments shown therein using brackets, comprises the third limitation of independent Claims 19 and 20, as well as the limitation of dependent Claim 3, now incorporated into independent Claim 1. The Office Action cites col. 3, lines 53 - 65 (Office Action, page 3) and col. 3, line 65 - col. 4, line 2 (Office Action, page

5) as teaching this claim language. However, Applicants respectfully note that the cited claim language pertains to a response message received from the cache store. The cited text from Challenger discusses several different messages, none of which can be aligned to Applicants' claim language, as will now be demonstrated.

Col. 3, lines 39 - 42, discuss a client request message received at a cache proxy server **12**. See also col. 3, lines 47 - 48, referring to the proxy server **12** "receiving the client URL request". This request message is clearly distinct from Applicants' response message.

Col. 3, line 55 mentions a request message sent by the cache store ("the proxy **12** sends a request to the Web server", emphasis added). This request message is also distinct from Applicants' response message.

In response to the request message discussed at col. 3, line 55, Challenger's server **14** may send a content response message comprising either an updated version of content (col. 3, lines 58 - 60) or a notification (col. 3, lines 63 - 64) that notifies the proxy **12** that its copy is already current. However, a response message sent from a server to a proxy (i.e, received at the cache proxy, as in the cited text from Challenger) is distinct from a response message received from a cache store (as in Applicants' claim language).

Challenger's cited text further states that the proxy then sends (after receiving the

content response message from the server) a response message to the client browser **11**, comprising a version of the requested object (col. 3, line 65 - col. 4, line 2). However, sending requested content to a client (as in the cited text from Challenger) is distinct from distributing content to the cache store (as in Applicants' claim language). In addition, a response message that delivers content to a client (as in the cited text from Challenger) is distinct from a response message that "indicates that the cache store will accept the ... content" (as in Applicants' claim language, emphasis added).

Furthermore, while the cited text from Challenger discusses delivering content to a proxy (col. 3, lines 58 - 60), the cited text states that this sending of content occurs because the server **14** "determines that a new version of the desired object exists" (emphasis added). This is distinct from Applicants' claim language, which specifies that the content is delivered only if a response message, received from the cache store, indicates that the cache store will accept the content for caching (see, for example, Claim 20, lines 9 - 11).

Accordingly, it can be seen that the cited text does not teach the final limitation of Applicants' independent Claims 1 (as amended herein), 19, and 20. The Office Action therefore fails to make out a *prima facie* case of anticipation. Applicants therefore respectfully submit that their independent Claims 1, 19, and 20 are patentable over Challenger. Dependent Claims 4 - 7, 9 - 12 and 16 - 18 are therefore deemed patentable over the reference as well. The Examiner is therefore respectfully requested to withdraw the §102

rejection.

IV. Rejection under 35 U. S. C. §103(a)

Paragraph 4 of the Office Action states that Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Challenger in view of U. S. Patent Publication 2005/0006550 to Chaganti. Paragraph 5 of the Office Action states that Claims 14 - 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Challenger in view of U. S. Patent Publication 2005/0086300 to Yeager. These rejections are respectfully traversed.

Applicants have demonstrated, above, that their independent Claims 1, 19, and 20 are patentable over Challenger. Accordingly, dependent Claims 8 and 14 - 15 cannot be rendered unpatentable by combining Challenger with Chaganti and/or Yeager. The Examiner is therefore respectfully requested to withdraw the §103 rejections.

V. Allowable Subject Matter

Paragraph 6 of the Office Action states that Claim 13 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form to include the limitations of the base claim and all intervening claims. Applicants respectfully submit that Claim 13 is allowable as currently presented, in view of the allowability of independent Claim 1 from which it depends (as has been demonstrated above with regard to the §102 rejection).

VI. Conclusion

Applicants respectfully request reconsideration of the pending rejected claims, withdrawal of all presently outstanding objections and rejections, and allowance of all remaining claims at an early date.

Respectfully submitted,

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Attachment: Replacement Sheet (1)